

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>-vs-</b>	)	<b>No. CR-14-123-C</b>
	)	
<b>PATRICIA CARTER,</b>	)	
	)	
<b>Defendant.</b>	)	

**GOVERNMENT’S RESPONSE TO DEFENDANT  
PATRICIA CARTER’S MOTION TO DISMISS (DOC. NO. 32)**

The Government requests that the Court deny Defendant Patricia Carter’s Motion to Dismiss, which asks the Court “to prohibit the government from using the files confiscated from [Prairie View] hospice.” (Doc. 32). Specifically, Carter complains that Prairie View Hospice, Inc. was originally charged in the indictment, but that the corporation was later dismissed without prejudice. Carter claims that the files seized from the hospice belong to the corporation and cannot be used without its consent.

Carter’s motion is supported by no legal authority other than a citation to the Fifth and Fourteenth Amendments to the U.S. Constitution. Presumably, Carter is making a due process argument, but in doing so Carter fails to identify any specific procedural deficiency. Carter has not moved to suppress the documents seized in the search of the hospice, nor has she claimed that the search warrant was unsupported by probable cause or otherwise unreasonable under the Fourth Amendment. To the extent that Carter claims

the government cannot use the hospice's documents without its consent, Carter has no standing to make such an argument on behalf of the corporation.

Accordingly, the United States respectfully requests that Ms. Carter's motion to dismiss be denied.

Respectfully submitted,

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### **CERTIFICATE OF SERVICE**

I hereby certify that on this 6th day of October, 2014, I electronically transmitted the Government's Response to Defendant's Motion to Dismiss to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

Joseph L. Wells  
Daniel White

s/ Jessica L. Perry  
Assistant U.S. Attorney